

# Executive Cabinet

## Minutes of meeting held on Thursday, 15 August 2013

**Present:** Councillor Alistair Bradley (Executive Leader in the Chair), Councillor Peter Wilson (Deputy Leader of the Council) and Councillors Beverley Murray, Dennis Edgerley and Adrian Lowe

### **Also in attendance**

**Lead Members:** Councillors June Molyneaux and Julia Berry

**Other Members:** Councillors Eric Bell, Henry Counce, John Dalton, Harold Heaton, Paul Leadbetter, Marion Lowe, Mick Muncaster and John Walker

**Officers:** Lesley-Ann Fenton (Director of Partnerships, Planning and Policy), Jamie Carson (Director of People and Places), Chris Moister (Head of Governance), Susan Guinness (Head of Shared Financial Services), Simon Clark (Head of Health, Environment & Neighbourhoods), Sarah James (Partnerships Manager), Victoria Willett (Performance Improvement Officer), Vanessa Fitzgerald (Policy and Engagement Assistant) and Ruth Rimmington (Democratic and Member Services Officer)

**Members of the public:** None.

### **13.EC.64 APOLOGIES FOR ABSENCE**

Apologies for absence were submitted on behalf of Councillor Terry Brown.

### **13.EC.65 MINUTES**

**RESOLVED - The minutes of the meeting of the Executive Cabinet held on 20 June 2013 be confirmed as a correct record and signed by the Executive Leader.**

### **13.EC.66 DECLARATIONS OF ANY INTERESTS**

No Members declared an interest in respect of items on the agenda.

### **13.EC.67 PUBLIC QUESTIONS**

The Executive Leader reported that there had been no requests from members of the public to speak on any of the meeting's agenda items.

### **13.EC.68 REFURBISHMENT WORKS 98-102 MARKET STREET**

The Executive Leader presented a report which set out the tender procedure being used and requested authority for the use of the criteria intended to award the contract.

The bids would be assessed on the scoring matrix of 80% cost and 20% quality. This was the usual split for this type of contract.

The Leader advised there had been 11 expressions of interest in taking a lease of the one of the premises, including the kiosk. They were from a variety of businesses, represented the aspirations for the town centre and included businesses that would contribute to bringing customers into the town and the town centre offer.

### **Decision made**

- 1. Approval granted to the tender process for the award of the contract.**
- 2. Approval granted to the award criteria detailed at paragraph 24.**
- 3. Approval granted that the award of the contract be delegated to the Executive Leader.**

### **Reason(s) for decision**

1. The Council's contract procedure rules require the procurement process and assessment criteria to be approved by the Executive. The procedure implemented provides an open and transparent process for the award of the contract. The use of the pre qualification questionnaire enables the Council to limit the parties who are asked to tender for the works to those who satisfy preliminary tests. This will limit the number of technical bids meaning a speedier and more efficient contract award process.
2. The Criteria are those suitable for this type of contract.

### **Alternative option(s) considered and rejected**

1. Previous decisions relating to this site have addressed the type of works to be undertaken. This report concerns the award of the refurbishment contract and the process to be followed.
2. The award could have been following a full tender process, but it was felt this would be lengthy and more complicated due to the number of likely tenders. Each would have then had to have had a technical bid to consider. This would have extended the time taken and the cost to the authority.

## **13.EC.69 INDIVIDUAL ELECTORAL REGISTRATION**

The Executive Member (Resources, Policy and Performance) presented a report which outlined the details surrounding the introduction of Individual Electoral Registration (IER) and the processes and timescales involved in the transition.

People who failed to register under the new system in 2014 would have their registration carried forward to 2015 ensuring that they would be registered to vote at the 2015 UK general election. However, postal or proxy voters would need to register under the new system from 2014 or they would automatically lose the right to use this method of voting.

In response to a query it was noted that following implementation, there would be other associated costs in respect of the maintenance of systems; scanning equipment, printing and postage costs but there would be no additional funding to cover these.

A dry run of electoral registers against the Department for Work and Pensions (DWP) data base had recently been undertaken which allowed the Council to identify particular issues it would face in creating a full and accurate local register, and would be used to identify any resource implications. 83.4% of the data had matched which was currently the highest match figure in Lancashire.

### **Decision made**

- 1. To note the report.**
- 2. Approval granted to the Executive Member (Resources, Policy and Performance) to use delegated authority to agree any additional funding for resources necessary for the implementation of IER as required by the Electoral Registration and Administration Act 2013.**

### **Reason(s) for decision**

To facilitate the full transition to IER in line with the legislation timescales.

### **Alternative option(s) considered and rejected**

There are no alternatives as the Council is legally obliged to adopt the provisions as set out in the Electoral Registration and Administration Act 2013.

## **13.EC.70 REVENUE BUDGET MONITORING 2013/14 REPORT 1 (END OF JUNE 2013)**

The Executive Member (Resources, Policy and Performance) presented a report which set out the provisional revenue outturn figures for the Council as compared against the budgets and efficiency savings targets it set itself for the financial year 2013/14.

The Council expected to make overall target savings of £ 200,000 in 2013/14 from management of the establishment. A total saving of £50,000 had been achieved in the first quarter, leaving a further £150,000 remaining for the target to be achieved for the year. Further savings should be made as the year progressed and more vacancies occur but if the remaining target was not achieved, budget efficiencies would need to be identified elsewhere to ensure the target for the year was achieved.

The Council's Medium Term Financial Strategy proposed that working balances were to be maintained at a level no lower than £ 2.0m due to the financial risks facing the Council. The current forecast to the end of June show that the General Fund balance would be around £2.095m. This would reduce to around £2.019m should the recommendations outlined in the report be approved. This would put the Council in a strong position and should help to mitigate against future risks associated with the Local Business Rates Retention scheme from April 2013.

In response to a query it was noted that this related to where money would be sourced from, if required, relating to Regeneration Projects. It was estimated that £20,000 might be required to cover business rates for the empty retail units. Further details on this budget would be set out in future monitoring reports.

### **Decision made**

- 1. Recommendation supported that Council approve the use of £143,000 of the Town Centre Reserve for revenue financing of the capital scheme for resurfacing of three Town Centre car parks.**
- 2. Recommendation supported that Council approve the use of the £40,000 one-off Minimum Revenue Provision saving, relating to Regeneration Projects in the 2013/14 Capital Programme, to finance revenue costs relating to the projects including the cost of business rates for 98-102 Market Street outlined in paragraph 21.**
- 3. Recommendation supported that Council approve the use of the one-off £35,950 Minimum Revenue Provision saving, arising from the rephasing of capital expenditure from 2012/13, for the reduction of debt as detailed in paragraph 28.**

### **Reason(s) for decision**

To ensure the Council's budgetary targets are achieved.

### **Alternative option(s) considered and rejected**

None.

## **13.EC.71 CAPITAL PROGRAMME MONITORING 2013-14 - 2015-16**

The Executive Member (Resources, Policy and Performance) presented a report which updated the Capital Programme for 2013/14 and provisional budgets for 2014/15 and 2015/16, to take account of additional resources and other proposed

budget changes. The report also presented an updated analysis of the receipt and use of developers' contributions for the financing of capital projects between 2013/14 and 2015/16.

Few changes were required to the 2013/14 Capital Programme at this stage. A net increase in the programme of £102,720 was proposed in the report. The provisional budgets for 2014/15 and 2015/16 were each reduced by £50,120 because of the estimated reduction in DFGs funded by housing associations.

#### **Decision made**

- 1. Recommendation supported that Council approve the amendments to the Capital Programme for 2013/14, as presented in column (2) of Appendix 1.**
- 2. Recommendation supported that Council approve the amendments to the provisional budgets for 2014/15 and 2015/16, as presented in columns (5) and (8) of Appendix 1.**

#### **Reason(s) for decision**

1. It is necessary for Council to approve the revised 2013/14 Capital Programme, to take account of additional resources, the transfer of budgets to revenue, the allocation of budgets to specific projects for monitoring purposes, and changes to the presentation of financing of the programme.
2. Provisional budgets for 2014/15 and 2015/16 should be updated to reflect the resources estimated to be available.

#### **Alternative option(s) considered and rejected**

None.

### **13.EC.72 CHORLEY COUNCIL PERFORMANCE MONITORING QUARTER ONE 2013/14**

The monitoring report was presented by the Executive Member (Resources, Policy and Performance) and set out the performance against the delivery of the Corporate Strategy, the Residents Survey 2013 and key performance indicators during the first quarter of 2013/14, 1 April to 30 June 2013.

One project was rated amber; Trial re-opening of Market Street. Lancashire County Council have taken responsibility for finalising the design and delivering the scheme. The anticipated completion date was October 2013.

A postal Resident Survey 2013 had been undertaken with 1,234 responses having been received. Ten of the eleven indicators performed above target or within the 5% tolerance, and all of the indicators had either maintained or improved performance when compared to 2008. The % of residents who feel that the Council provides value for money had increased from 41.4% in 2008 to 51.1%. In the current economic climate this was a positive result.

On the Corporate Strategy measures four indicators performed below target; the percentage of 16-18 year olds who are not in education, employment or training (NEET), the percentage of domestic violence detections, the percentage of residents who feel that Chorley Council provide value for money, and the percentage of customers dissatisfied with the way they were treated by the Council.

In response to queries further updates were given in relation to the Working Together With Families project and the Friday Street Health Centre.

#### **Decision made**

**To note the report.**

#### **Reason(s) for decision**

To facilitate the on-going analysis and management of the Council's performance in delivering the Corporate Strategy.

**Alternative option(s) considered and rejected**

None.

**13.EC.73 CHORLEY PARTNERSHIP PERFORMANCE MONITORING QUARTER ONE 2013/14**

The monitoring report was presented by the Executive Member (Resources, Policy and Performance). This was the first in a new format of partnership performance reports which set out the priorities and performance of the Chorley Partnership for the first quarter of 2013/2014, from 1 April to 30 June 2013.

The report presented how successful partnership groups had been delivering against priorities in that quarter. This was a move away from using performance indicators towards placing some contextual information regarding the work that had been delivered and what impact and outcomes this had achieved.

Overall progress against priorities was excellent, of the nineteen priorities identified across the partnership, seventeen were rated as green and two were rated as not started.

Members discussed the priorities of Domestic Violence and Violent Crime, and Child Sexual Exploitation.

**Decision made**

**To note the report.**

**Reason(s) for decision**

To facilitate the on-going analysis and management of the Chorley Partnership's performance.

**Alternative option(s) considered and rejected**

None.

**13.EC.74 ENERGY UTILITY CONTRACTS**

The Executive Member (Resources, Policy and Performance) explained that the report updated Members on the process of appointing a new electricity supplier for the Council.

The Executive Member had recently approved the continued use of the Yorkshire Purchasing Organisation for the procurement of the Council's energy utility suppliers. The scoring matrix for the consideration of any bids made within the YPO Framework had also been approved.

Members noted that YPO were a Public Sector Buying Organisation who procured energy on behalf of in excess of 80 Public Sector Bodies. Chorley Council had used YPO since 1998.

**Decision made**

**Approval granted for authority to be delegated to the Executive Member for Resources, Policy and Performance to award a contract for the supply of electricity to Council buildings for the period April 2015 – March 2019 to the preferred contract proposed by the YPO.**

**Reason(s) for decision**

The award will provide a continued utility services provision for the council.

**Alternative option(s) considered and rejected**

None.

**13.EC.75 RESURFACING OF THREE TOWN CENTRE CAR PARKS**

The Executive Member (Resources, Policy and Performance) presented a report which sought approval for the award procedure and evaluation criteria for the contract for resurfacing and improvements to the Portland Street, Flat Iron and short stay Fleet Street car parks.

The report also sought approval for the car park behind the former McDonald's site to become a pay and display car park (total 70 spaces) with a small number of free spaces. This car park would be tarmaced and vehicle access would remain via Fleet Street.

Members discussed the need to carry out this work at minimal disruption to shoppers and traders. It was clarified that black tarmac would be used and that the current red brick work would be made good.

**Decision made**

- 1. Approval granted to the procurement approach of advertising tenders through the Chest e-tendering system using an open invitation to five contractors from Lancashire County Council's (LCC) approved list plus LCC themselves.**
- 2. Approval granted to tenders being evaluated to establish the most economically advantageous tender based on 80% cost, 20% quality.**
- 3. Approval granted to the car park behind the former McDonald's site becoming a short stay pay and display car park but also to include 10 spaces free for the first 30 minutes.**

**Reason(s) for decision**

Under the Council's Contract Procedure Rules approval by the Executive Cabinet of contract award procedure and evaluation criteria for tenders greater than £75,000 in value is required.

**Alternative option(s) considered and rejected**

To not agree contract award procedure and evaluation criteria would fail to comply with the Council Procurement rules.

**13.EC.76 PARK AND OPEN SPACES MEMORIAL POLICY**

The Executive Member for People explained that the report provided an update following consultation on the Parks and Open Spaces Memorial policy and sought approval for the adoption of the policy.

Seven consultation responses had been received which were set out in the appendix to the report. In light of the consultation, the draft policy had been amended.

Members noted this was a sensitive area and that the Policy would bring clarity for officers and residents.

**Decision made**

**Approval granted that the consultation and responses be noted and that the amended policy be formally adopted with immediate effect.**

**Reason(s) for decision**

To clarify the Council's position regarding memorials and to provide officers with an approved mechanism for accepting / refusing requests, and to manage on-going memorial maintenance.

**Alternative option(s) considered and rejected**

1. Continue to consider requests for memorial items on an ad-hoc basis. A shortage of remaining space and the suitability of some requests would make this option unsustainable.
2. No longer accepting any form of memorial requests for any of our sites - an unnecessary measure.

**13.EC.77 END OF YEAR CORE FUNDING REPORT 2012/13**

The Executive Member for People presented a report which updated Members on the performance of the core funding recipients during 2012/13.

At the Executive Cabinet meeting in March 2013, the core funding allocation for 2013/14 was agreed. The recipients were now in the process of delivering, and were subject to quarterly monitoring. This was proportional based on the value of the grant, and increased to detailed quarterly monitoring reports for the larger contracts.

It was noted that organisations who had been unsuccessful in gaining funding could request an appointment to discuss their application.

**Decision made**

**To note the report.**

**Reason(s) for decision**

To facilitate the on-going analysis and management of the Council's Core funding process.

**Alternative option(s) considered and rejected**

None.

**13.EC.78 CLAYTON BROOK VILLAGE HALL – COMMUNITY MANAGEMENT**

The Executive Member for People presented a report which set out a request from Clayton Brook Community House to progress the transfer of Clayton Brook Village Hall into community management.

The community management of Council assets was an established policy, with community centres in community management at Fairview and Tatton. There are also a number of playing pitches and open spaces that were in community management with local organisations.

This work with Clayton Brook Community House would need to consider whether the existing group was the appropriate organisation to take on the community management and to consider representation from the broadest possible cross section of the local community.

**Decision made**

1. **Approval granted that officers be instructed to work with Clayton Brook Community House to pursue the option of community management at Clayton Brook Village Hall.**
2. **Approval granted that a condition of community management be that Clayton Brook Community House look at the best type of organisational structure to manage the facility and show how the representation on this**

**organisation would draw from as broad a cross section in the local area as possible.**

**Reason(s) for decision**

The recommendation, if approved is consistent with the Council's policy of transferring assets into community management. This empowers the local community and gives them greater ownership, involvement and influence on decisions in their local community. There is also a potential financial saving with this delivery model.

**Alternative option(s) considered and rejected**

Not to consider transferring the Village Hall into community management.

**13.EC.79 ALLOCATION OF SAGAR HOUSE SECTION 106 EQUIPPED PLAY SPACE CONTRIBUTION**

A report was presented by the Executive Member for People which set out a request from Eccleston Parish Council for a grant of £77,000 towards the provision of a multiuse ball court with associated landscaping, paths and lighting on the recreation ground at Drapers Avenue, Eccleston.

The report requested that the remaining Section 106 balance be spent on a Council owned site in or near to Eccleston which was recommended for improvement in quality.

In response to a query Members noted Eccleston Parish Council were providing the land, had worked up the proposals and tender process, would submit the necessary planning application, would project manage the installation of the ball court and would provide the on-going maintenance and insurance of the ball court.

**Decision made**

**Approval granted to the requests.**

**Reason(s) for decision**

1. There are currently no all-weather facilities in Eccleston. The ball court will be a first for the village.
2. Drapers Avenue is the principal Neighbourhood Park/Recreation Ground in Eccleston. It caters for all age groups and has buildings which house the young people's service, scout hut and football club. It has adequate parking and amenities to serve the community. The MUGA will be very well used in this prime location.
3. There is a clear need and desire for the ball court, as shown by the involvement of the young people of the village through the whole process from inception to completion.

**Alternative option(s) considered and rejected**

To use the S016 funding for an alternative location in the Borough.

**13.EC.80 LAND DRAINAGE ACT 1991 - REVIEW OF LAND DRAINAGE POLICY**

The Executive Member for Places presented a report which advised Members of a review of the Councils Land Drainage policy and sought approval for amendments to the policy for the purposes of clarity.

In the light of officer activity in this area a review of the policy had been undertaken to clarify areas of uncertainty and ensure the policy was consistently applied given the



limited resources, capacity and capability the Council had in terms of land drainage issues.

Members discussed the broad principles on which the policy was based.

**Decision made**

- 1. Approval granted for the retention of the priority basis on which Council resources were deployed to assist householders/landowners with land drainage investigations.**
- 2. Approval granted to the principles in paragraphs 9 to 12 in the application of the Land Drainage policy.**

**Reason(s) for decision**

To ensure resources are effectively and proportionately used to seek a remedy where flooding to domestic properties can be attributed solely to land drainage deficiencies or defects or where an imminent risk of flooding occurs in such circumstances.

**Alternative option(s) considered and rejected**

None.

Executive Leader